IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO.19354 OF 2006

Date of decision : December 07, 2006

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Dr. Chand Kamal .....Petitioner

Vs.

State of Punjab and others .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. Vikas Behl, Advocate for the petitioner(s).

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Viney Mittal, J. (Oral)

The petitioner has challenged the order dated October 10, 2006 (Annexure P-7) whereby the application of the petitioner for renewal of registration already granted to him vide order Annexure P-4 has been rejected.

After hearing the learned counsel for the petitioner and taking into consideration the provisions of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (hereinafter referred to as `the Act'), we find that an appeal against the order Annexure P-7 is maintainable under Section 21 of the Act. Order Annexure P-7 in fact amounts to cancellation and suspension of the registration already granted to the petitioner.

In this view of the matter, without commenting upon the merits

of the claim made by the petitioner, we dispose of the present petition and relegate the petitioner to file an appeal under Section 21 of the Act, if so desired. If any such appeal is filed by the petitioner, the same shall be decided by the appellate authority expeditiously without raising any questions with regard to the maintainability of the appeal.

Copy of the order be given dasti on payment of the usual charges.

(VINEY MITTAL)
JUDGE

December 07, 2006
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(H.S BHALLA)
JUDGE